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Attorneys for  
Plaintiff LeadClick Media, Inc

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LEADCLICK MEDIA, INC.

Plaintiff

v.

RELATIONSERVE MEDIA, INC., SENDTEC,  
INC., and DOES I through X,

Defendants.

SENDTEC, INC.,

Counterclaimant,

v.

LEADCLICK MEDIA, INC.,

Counterdefendant

Case No.: C 06 3891 SC

**STIPULATION RE SETTLEMENT; ORDER**

**STIPULATION**

The parties hereto, through their respective counsel of record, stipulate as follows:

1. The above-entitled cause is presently set for trial on September 6, 2007.

2. The parties have agreed to settle the matter on the terms set forth in a written

Settlement Agreement and Release (the "Settlement Agreement"), which provides for defendant

SendTec, Inc. to make three payments to plaintiff LeadClick Media, Inc., the last of which is due on

January 15, 2008. The Settlement Agreement further provides that, upon receipt of the final payment,

LeadClick will file a request for dismissal with prejudice of the action.

3, The parties desire that the Court retain jurisdiction until the actions required by Settlement Agreement have been completed.

DATED: August 20, 2007

ROBERT T. SULLWOLD  
JAMES A. HUGHES  
SULLWOLD & HUGHES

s/ Robert T. Sullwold

Robert T. Sullwold  
Attorneys for  
Plaintiff LeadClick Media, Inc.

DATED: August 20, 2007

KENNETH J. RUBINSTEIN  
HAYNES & BOONE, LLP

s/ Kenneth J. Rubinstein

Kenneth J. Rubinstein  
Attorneys for  
Defendant SendTec, Inc.

**ORDER**

Having considered the foregoing Stipulation, and good cause appearing therefor, IT IS ORDERED:

1. The trial date of September 6, 2007 is VACATED.
2. The parties are ordered to APPEAR at 10 a.m. on January 25, 2008 in Courtroom One to advise the Court whether the actions required by the Settlement Agreement have been completed.

DATED: August 20, 2007

